

articles did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Pennsylvania.

On December 1, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of  $\frac{1}{2}$  gross of Torpedo combination menthol inhaler and pencil, and  $\frac{1}{2}$  gross of Torpedo Volatex, remaining in the original unbroken packages at Philadelphia, Pa., consigned by W. C. Belmonte, New York, N. Y., alleging that the articles had been shipped from New York, N. Y., in part on or about October 23, and in part on or about October 30, 1930, and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act as amended.

Analyses of samples of the articles by this department showed that the contents of the Torpedo Volatex consisted essentially of volatile oils including menthol, camphor, and eucalyptol; and the contents of the Torpedo inhaler consisted of menthol.

It was alleged in the libels that the articles were misbranded in that the following statements regarding their curative or therapeutic effects, appearing on the cartons containing the respective articles, were false and fraudulent, since the said articles contained no ingredients or combinations of ingredients capable of producing the effects claimed: (Torpedo combination menthol inhaler and pencil) "An Effective Remedy for application and inhalation for Catarrh, Hay Fever, Neuralgia, Headache, Faceache, Etc. For Sore Throat Inhale through the mouth;" (Torpedo Volatex) "Vaporized Relief Recommended for \* \* \* Catarrh, Hay Fever, Neuralgia, Etc. For Sore Throat inhale through the mouth."

On December 22, 1930, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the the court that the products be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17854. Adulteration and misbranding of ether. U. S. v. 90 Quarter-Pound Cans of Ether. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24945. I. S. No. 7304. S. No. 3318.)**

Samples of ether from the herein-described interstate shipment having been found to contain peroxide, indicating deterioration, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Michigan.

On or about August 9, 1930, the United States attorney filed in the United States District Court a libel praying seizure and condemnation of 90 quarter-pound cans of ether at Detroit, Mich., alleging that the article had been shipped by Merck & Co., from Rahway, N. J., on or about April 8, 1930, and had been transported from the State of New Jersey into the State of Michigan, and charging adulteration and misbranding in violation of the food and drugs act.

Analysis of a sample of the article by this department showed that the ether contained peroxide.

The article was labeled in part: "Ether U. S. P. For Anesthesia."

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, or purity, as determined by tests laid down in said pharmacopoeia official at the time of investigation, and its own strength was not stated upon the label.

Misbranding was alleged for the reason that the name on the label, "Ether U. S. P." was false and misleading.

On December 8, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17855. Misbranding of Wampole's vaginal cones boroglyceride compound with ichthyol. U. S. v. 100 Packages of Wampole's Vaginal Cones Boroglyceride Compound with Ichthyol. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25231. I. S. No. 3954. S. No. 3522.)**

Examination of the herein-described drug product having shown that the labels bore claims of curative and therapeutic properties that the article did not possess, the Secretary of Agriculture reported to the United States attor-